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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,)	Case No. CR 16-00440 WHA
14)	
15 Plaintiff,)	
16 v.)	
17 YEVGENIY ALEXANDROVICH NIKULIN,)	JOINT PROPOSED INSTRUCTION RE
18 Defendant.)	CONTINUING DELIBERATIONS AFTER JUROR
19)	IS DISCHARGED AND NOT REPLACED
20)	
21)	
22)	
23)	
24)	
25)	
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21 In response to the Notice to Counsel (ECF 440), the parties have met and conferred and propose
22 that the following instruction be given to the remaining jurors, in the event that it is necessary to
23 discharge a juror.

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CONTINUING DELIBERATIONS AFTER JUROR IS DISCHARGED AND NOT REPLACED
(Ninth Circuit Model Jury Instruction No. 7.11, as modified)

One of your fellow jurors has been excused from service and will not participate further in your deliberations.

You should continue your deliberations with the remaining jurors. Do not consider the opinions of the excused juror as you continue deliberating. All the previous instructions given to you, including the unanimity requirement for a verdict, remain in effect.

DATED: July 10, 2020

Respectfully submitted,

DAVID L. ANDERSON
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/s/
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